

**Teamsters Union Suggested Amendment to HB 225**

Page 2: Strike lines 11 through 30

Page 3: Strike lines 1 through 11

Insert beginning page 2, line 11:

(1) The arbitrator shall establish dates and a place for hearings and may subpoena witnesses and require the submission of evidence necessary to resolve the impasse.

(2) Prior to making a determination on any issue relating to the impasse, the arbitrator may refer the issues back to the parties for further negotiation.

(3) At the conclusion of the hearings, the arbitrator shall require the parties to submit their respective final position on matters in dispute.

(4) The arbitrator shall make a just and reasonable determination of which final position on matters in dispute will be adopted within 30 days of the commencement of the arbitration proceedings. The arbitrator shall notify the board of personnel appeals and the parties, in writing, of his determination.

(5) In arriving at a determination, the arbitrator shall consider any relevant circumstances, including:

(a) comparison of hours, wages, and conditions of employment of the employees involved with employees performing similar services and with other services generally;

(b) the interests and welfare of the public and the financial ability of the public employer to pay;

(c) appropriate cost-of-living indices;

(d) any other factors traditionally considered in the determination of hours, wages, and conditions of employment.

(6) The determination of the arbitrator is final and binding and is not subject to the approval of any governing body.

## **Teamsters Suggested Amendment to HB 225 Language Comparison**

### **Example 1**

Bill Language, Page 2, line 12: "Within 14 calendar days prior to the date of a hearing, each party shall submit to the other party a written last best offer package on all unresolved mandatory subjects. The last best offer package may not be changed."

Amendment Language, "The arbitrator shall establish dates and a place for hearings and may subpoena witnesses and require the submission of evidence necessary to resolve the impasse. Prior to making a determination on any issue relating to the impasse, the arbitrator may refer the issues back to the parties for further negotiation. At the conclusion of the hearings, the arbitrator shall require the parties to submit their respective final position on matters in dispute."

### **Example 2**

Bill Language, page 3, line 7: "Within 30 days after the conclusion of the hearings or an additional period agreed upon by the parties, the arbitrator shall select only one of the last best offer packages submitted by the parties and shall make written findings along with an opinion and order."

Amendment Language: The arbitrator shall make a just and reasonable determination of which final position on matters in dispute will be adopted within 30 days of the commencement of the arbitration proceedings.

### **Example 3**

Bill Language, page 3, line 3: "other factors, consistent with subsections (3)(a) through (3)(g), that are traditionally taken into consideration in the determination of wages, hours, and other terms and conditions of employment. However, the arbitrator may not use other factors if, in the judgment of the arbitrator, the factors listed in subsections (3)(a) 6 through (3)(g) provide a sufficient basis for an award.

Amendment Language: "In arriving at a determination, the arbitrator shall consider any relevant circumstances"